157894

FILED
2000 JAN 26 PM 4:21
DAVIDSON CO. CHANCERY CT.

IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE,
TWENTIETH JUDICIAL DISTRICT, DAVIDSON COUNTY

FIRST TENNESSEE BANK NATIONAL ASSOCIATION,	)	
Plaintiff, PICK-UP	)	
v.	)	**Civil Action No. 99-1339-III**
RAYMOND MITCHELL, III, a/k/a RAYMOND MITCHELL, CLAUDETTE C. MITCHELL, SUNTRUST BANK, NASHVILLE, N.A., and NATIONSBANK, N.A.,	)	
Defendants.	)	

RECEIVED
JAN 20 2000
Dav. Co. Chancery Court

ORDER CONFIRMING SALE

This cause came to be heard before this Court on the Motion to Confirm Sale filed by First Tennessee Bank National Association ("First Tennessee"), upon the whole record in the cause, including the decree of sale and the Report of Sale by the Master made in obedience thereto, which report is as follows:

"To the Chancellor:

Orders were entered in this case on September 27, 1999 and November 9, 1999, directing the Clerk and Master to sell the interest of Raymond Mitchell, III in the following described property:

> Certain real property located in Davidson County, Tennessee commonly known as 6151 Homeland Drive, more specifically described as follows:
>
> Being Lot No. 212 on the Plan of Homeland Heights, Section 3, as of record in Book 3700, page 55, Register's Office for Davidson County, Tennessee.
>
> Said Lot No. 212 fronts 150.0 feet on the westerly side of Homeland Drive, and extends back 350.0 feet on the northerly line and 305.60 feet on the southerly line to a line in the rear which measures 156.44 feet.
>
> Being the same property conveyed to Raymond Mitchell, III and wife, Claudette C. Mitchell, by deed from Isaac J. Johnson and wife, Marie R. Johnson, of record in Book 5048, page 175, Register's Office for Davidson County, Tennessee.

TERMS OF SALE: The Clerk and Master shall sell, pursuant to applicable law, to the highest bidder for cash, if the Clerk and Master determines that a cash payment will not interfere with obtaining full and fair price, or on a credit of not less than six months nor more than two years. The Clerk and Master's sale of the interest of defendant Raymond Mitchell, III a/k/a Raymond Mitchell in the real property shall be subject to any and all liens having priority over First Tennessee's interest in the real property with the proceeds from the sale being first applied to the costs of this action and then the remaining proceeds, if any, being subjected to the satisfaction of

Davidson County ROS
Recvd: 04/29/04 09:08 3pgs
Fees:17.00 Taxes:0.00
20040429-0048508

First Tennessee's judgment. If the proceeds of the aforesaid sale do not satisfy the judgment First Tennessee shall be permitted to continue with the prosecution of this civil action as permitted by applicable rules and law.

I respectfully report that I advertised for the required time in the Nashville Record, a newspaper published in Nashville, stating that at the south door of the Courthouse, in Nashville, at 12:00 o'clock noon on Wednesday, December 29, 1999, I would sell the above described property upon the stated terms. I held the sale as ordered and the property was fairly struck off and sold to FIRST TENNESSEE BANK NATIONAL ASSOCIATION for TEN THOUSAND DOLLARS AND NO CENTS ($10,000.00). The purchaser, being the beneficiary of the sale, was required to pay costs only in the amount of $580.00, with the balance of their bid being applied toward the judgment.

And said Report, being unexcepted to, is by the Court, on Motion of the Plaintiff, in all things confirmed."

IT IS THEREFORE ORDERED, adjudged and decreed, by the Court that all right, title and interest of the defendant, Raymond Mitchell in and to the real property be divested out of him and be vested in the purchaser, First Tennessee. Said purchase money having been fully credited, the Clerk and Master will make, acknowledge for registration and deliver to First Tennessee a deed conveying the real property to it, as aforesaid, or will give First Tennessee a duly certified copy of this decree, as a muniment of title, at the election of First Tennessee, First Tennessee paying the legal fees therefore.

Ellen Hobbs Lyle
ELLEN HOBBS LYLE, CHANCELLOR

I HEREBY CERTIFY THAT THIS IS A TRUE COPY
OF ORIGINAL INSTRUMENT FILED IN MY OFFICE
THIS 27th DAY OF Feb 11 2024
CRISTI SCOTT, CLERK & MASTER
BY _____ DEPUTY

Prepared for Entry by:

Beverly S. Hayden
BEVERLY S. HAYDEN (#18027)
MARSHALL L. HIX (#10481)
Hix Gray Dennen & Nave, PLLC
1620 First American Center
315 Deaderick Street
Nashville, Tennessee 37238
(615) 254-4444

Attorneys for Plaintiff
First Tennessee Bank National Association

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing Motion to Confirm Sale and Notice of Hearing was served via United States Mail, first class, postage prepaid to the following person:

Thomas L. Whiteside
Attorney for Raymond Mitchell, III and Claudette C. Mitchell
Fowlkes & Whiteside
172 Second Avenue North, Suite 214
Nashville, Tennessee 37201-1908

Steven Evans Groom
Attorney for SunTrust Bank, Nashville, N.A.
Farris, Warfield & Kanaday
Eighteenth Floor, SunTrust Center
424 Church Street
Nashville, Tennessee 37219

T. Larry Edmondson
Attorney for NationsBank, N.A.
2nd Floor, 808 Broadway
Nashville, Tennessee 37203

this 20 day of January, 2000.

Beverly S. Hayden